

UNAPPROVED DRAFT MINUTES
WEST VALLEY LAND USE ADVISORY COMMITTEE
FEBRUARY 28, 2017

Vice Chairman James Thompson called the meeting to order at 7:00pm. Committee members present were, Paul McKenzie, James Thompson, David Tutvedt. **A quorum was NOT present.** Paul McKenzie served as secretary. Dave Weyrauch and Barb Pearson had notified the Secretary they would be absent from the meeting.

The draft minutes from the 12/27/16 meeting of the WVLUAC were distributed. No action was taken due to lack of a quorum.

GENERAL PUBLIC COMMENT

Vice Chairman Thompson called for general public comment on any issues related to the West Valley planning area. No public comment was presented.

OLD BUSINESS

Vice Chairman Thompson called for items of Old Business. Paul M. mentioned that we really needed to try to fill the two vacant seats on the committee. Per discussion with the Planning Director, even though only five seats are filled, since the board has seven seats, a minimum of 4 must be present for a quorum. David T. stated he had been talking to some folks who may be interested and will encourage them to submit letters of interest.

NEW BUSINESS:

The board reviewed one project.

FZV-17-01

County planner Kari Nielsen presented the project staff report to the board members present. She also distributed a public comment that had been received by the Planning office from one of the neighbors opposing the variance request. Kari did clarify that the current request was for a permanent variance to allow permanent installation of a caretaker unit.

The board made it clear they would not be able to provide a recommendation on the project due to lack of a quorum but still wanted to provide comments for consideration by the Board of Adjustment. Kari stated that would be fine, but they would likely be treated as any other public comment.

Questions were asked regarding the status of the septic approval. Kari said she checked with the sanitation department and to date, no application had been made for extension of the temporary permit or issuance of a new permit. Kari stated that the second residence had been temporarily tapped into the 3 bedroom septic that was installed for the primary residence. Existing septic is not designed to handle both residences.

Kari stated that the criteria for consideration of the variance was the same as what was used for the temporary variance previously submitted. Per the staff report, the variance request meets the criteria established in the zoning regulations.

The board expressed five primary concerns for consideration by the Board of Adjustment.

- The board disagrees with Staff evaluation of Criteria. An informed purchaser of the lot would recognize the limitations posed by lot size, topography and layout. While the need for a family hardship dwelling may have been unforeseen and therefore good rational for a variance, the desire for a caretaker dwelling should have been considered in the original development of the lot where in compliance with setbacks would have been possible. Under the scenario of permanent use, we feel the landowner could explore additional options to better meet the setback requirement without unreasonable hardship. These could include alternate orientation of the structure, installation of a permanent foundation that could accommodate the topography and the setback, consideration of an alternate structure footprint that would allow for greater setback etc.... The permanent request appears to be one more of convenience rather than immediate need as was portrayed in the original application for family hardship dwelling.
- Original public comment on the original temporary of a year ago request clearly stated that the public was accepting of the request under family hardship conditions and temporary use, but not willing to accept as a permanent situation.
- The current parking area for the second residence lies within the 60' ROW for the road and appears it could be an impact on the safe use of the roadway.
- If the caretaker residence is intended to be permanent, then appropriate sanitation permits and facilities must be obtained and installed.
- How will the County monitor the use of the second residence to ensure it truly is a caretaker use and not some other use such as a short or long term rental? Should the second residence be used for something other than a caretaker facility, then it would appear to not be in compliance with WV planning direction.

The board requested that the Secretary send a letter to the Board of Adjustment sharing the concerns listed above.

The meeting was adjourned at approximately 7:30pm

Respectfully Submitted,



Paul R. McKenzie